SALT LAKE CITY, UTAH, WEDNESDAY MORNING, MAY 15, 1907.

# IEN BACKS UP SHEETS CASE

Attorney Loofbourow Riot Act to Attorney-General.

HIM WITHDRAW REQUEST TO HANSON

That He Is Capable of ing His Own Office Without Help.

the warpath after Atorney-A. Breeden Tuesday, and official a tongue-lashing such not had since, by the grace non hierarchy, he was first public office. Although Mawears the button of the G. ays he faced rebel cannon, got through with him, out a four-story window fibeurow told him to. It is lajor Breeden shook hands f several times Tuesday afise Mr. Loofbourow had

im alive.

of Mr. Loofbourow's wrath

ter written by Major Breedy Attorney Willard Hanson,

individual to assist Mr.

can the prosecution of Chief

corge A Sheets After Mr.

had finished his decidedly

conversation with Major nversation with Major latter, at Mr. Loofbourhumbly wrote the fol-

e. May 14, 1907.—Hon. Wil-County Attorney.—Dear Sir-consultation, I have deemed to withdraw my letter of questing you to appear and strict Attorney in the prose-ores Sheets for consultac-

Loofbourow read Major ter to Hanson, he was mad and he sought out the at-cal at as early an hour Tuesday, and, in language and picturesque, laid down ral propositions, as follows: at there is no warrant of attorney-general to "butt gage special counsel to srict attorney in the prose-

hat if Mr. Loofbourow in any case he would pre-ance of any lawyer in Utah illard Hanson.

t he regarded Major sing guilty of a rank dis-king Hanson to assist the without first consult-attorney himself, and in his request without noti itstrict attorney thereof.

ated attorney-general saw

Mr. Loofbourow's remarks,

te other tenants of the D. F. ing were wondering if an occurred in the afterneyenographer and wrote Mr. Loofbourow had

drow as a "Fall Guy."

ierally believed that Major Attorney Hanson sds together and conspired on District Attorney Loof-dium for their joint failure Sheet "stick" either in Supreme court. place Mr. Hanson's com

Chief Sheets was copied Mr. Loofbourow in the in-Armstrong quashed the been unable complaint which would hold

or Breeden made a grand-and, without consulting any-really knew the laws, ap-Supreme court from Judge decision. Later he learned ecision. Later he learned 't make his appeal stick, to dismiss it, assigning as at Judge Armstrong's rec-complete. This was a shot epublican party by all the lared the law as he under-he Sheets case.

dismissed his appeal, how Breeden wrote County At on a letter, asking that per-t Mr. Loofbourow in the ecution of Chief Sheets in court, and making the un-tent that Mr. Loofbourow od to file another informa-t the chief. Mr. Loof-not asked for assistance. not asked for assistance, Major Breeden gave out Hanson to the organ of the blication without notifying grow of what he had done Mr. Hanson could receive or Hanson was in Fillmore letter was written. I performances on the part egeneral that roused Mr almost to the fighting pitch.

Bun His Own Office. surow declined absolutely the controversy between Ma-Breeden that he was perlent to conduct the affairs

office, and that he proposed The only person authorized ir otherwise engage counsel the district attorney is the Major Breeden's statement of hourow had agreed to file Il information against Chief

without foundation in fact, surow not only made no acut, but has not yet contact or not he will file such

oking into the law in the id Mr. Loofbourow vester-will not know for a day or I will file such an informa-

# FUNERAL TRAIN BEARS DEAD SHRINERS EAST

Pathetic Scenes as Bodies of Victims of Honda Wreck Are Sent Homeward.

SANTA BARBARA, Cal., May 14.—
Two coaches filled with mourning Shriners and their wives, accompanying a baggage car bearing the caskets of the twenty-one victims of the Honda disaster, formed the funeral train, leaving here at 10:40 this morning. Members of Rajah Temple and visitors from Pennsylvania are the ones who will keep the long vigil over the dead until Pennsylvania are the ones who will keep the long vigil over the dead until they reach home. Most of the dead are from Reading, Pa. Ismailia Temple of Buffalo left on the regular train at noon and took on those of the injured at San Luis Obispo who were able to travel. These included John Logan, the Buffalo baggageman whose leg was broken in two places, and Mrs. Fred Grummond of Binghamton, whose heroism still is a subject of high praise among the wreck survivors.

The eleven dead at San Luis Obispo were also taken aboard the train. The train was draped in black and the caskets of the dead hidden under huge banks of flowers, sent to the Shriners by nearly every person in Santa Bar-

by nearly every person in Santa Bar bara who possessed a flower garden There were many distressing incidents in connection with the departure of the train. Mrs. Wasson, whose husband was among the dead, totally collapsed at the depot and other women gave way completely to their grief. A couple of children, whose relatives were among the party, became hysterical at the sight of the train and could not be comforted.

The party was taken care of as well as possible in the Pullmans and the There were many distressing incidents

as possible in the Pullmans and the sad homeward journey began. The Southern Pacific officials, awake to a sense of their responsibility, did every thing possible to lessen the load of care and sorrow for these on board. Not-withstanding the safeguards and cau-tions that have been taken, the fear of another wreck is still uppermost in the minds of many of those on the train, unnerved as they are by their terrible experiences of last Saturday.

### INJURED IMPROVING.

All of Those at San Luis Obispo Will Speedily Recover.

Speedily Recover.

SAN LUIS OBISPO, Cal., May 14.—
All of those injured in the railroad disaster at Honda are improving. Those remaining here are Mrs. Fred Grummond of Binghamton, N. Y.; H. A. Hartzel, Easton, Pa.; W. N. Lee, Orwigsburg, Pa.; Fred McKinney and wife of Binghamton, N. Y.; A. W. Haphole and wife, Bannis Point, N. Y.; Martin L. Henry, Shamokin, Pa.; Mrs. Hendle and daughter Helen, Reading, Pa.; Engineer Champlain, San Luis Obispo; W. H. Boyd, Reading, Pa.; J. Heffedith, Reading, Pa.; Brakeman L. W. Thompson, F. Fountain and J. Logan, the latter coming from New York on the tourist special, have been taken to San Francisco.

## UPSETS AT OAKLAND.

Several Favorites, Heavily Played,

Were Beat by Unknowns. SAN FRANCISCO, May 14.—There were a number of upsets at Oakland to-day, but several of the winners were heavily played. Lotta Gladstone and The Skipper were two of the surprises, Grasscutter, the medium of a heavy plunge, beat Pal, the favorite, for the fourth by a parrow margin. Abuschen meda ble Skipper whe medium beat Pal, the favorite, for the beat Pal, the favorite, for the beat Pal, the favorite, for the beat Pal, the favorite and anarrow margin. Aubuchon made his a narrow margin. Aubuchon his to saling—St. First race, five furlongs, selling—St. (Aubuchon), 15 to 5, won williams), 4 to 1 took the two-year-old race on St. Avon. First race, five furlongs, selling—St. Avon. 112 (Aubuchon), 16 to 5 won, Swede Sam. 112 (C. Williams), 4 to 1, second; St. Modan. 112 (Archibaid), 40 to 1, third. Time, 1:01 2-5. Irish Mike, Warden Yell, Russler, Altair, Jockey Mounce, San Baman. Wolfville and Corcill finished as named.

Second race, six furlongs, selling—Lotta Gladstone, 107 (R. Davis), 12 to 1, won; Salable, 104 (Macrae), 17 to 5, second, Linda Rose, 107 (Fischer), 9 to 1, third. Time, 1:14. Bogohama, Distributor, Mimo, Anena, Glendenning, Bakersfield and Batidor finished as named. El Chichuahua was left at post.

Third trace, six furlongs, selling—Alice

neid and Sathlor limshed as hamed. El. Chichnahua was left at post.

Third race, six furlongs, selling—Alice Carey, 102 (Enxton), 9 to 2, won, Jimalena, 102 (Wright), 30 to 1, second, Roscoe, 112 (R. Davis), 9 to 1, third. Time, 1:14 2-5. Pelham, Mistress of Rolls, Box Elder, Instructor, Sharp Boy, Peter Jand King Thorpe finished as named.

Fourth race, futurity course, purse—Grascutter, 106 (R. Davis), 13 to 5, won, Pal, 109 (Buxton), 8 to 5, second, Burning Bush, 94 (W. Smith), 7 to 1, third Time, 1:10. Senator Warner, Andrew B. Cook, Billy Mayam, Isolation and Blanche C finished as named.

Fifth race, six furlongs, selling—The

Blanche C finished as named
Fifth race, six furlongs, selling—The
Skipper, 112 (Archibald), 12 to 1, won;
Meads, 107 (A. Wright), 40 to 1, second,
E. W. Drattin, 109 (C. Williams), 7 to 1,
third. Time, 1 13 4-5. Prestige, Daruma,
Silver Sue, Escamado, Peggy O'Neal,
Princess Wheeler, Governor Orman and
Belle Reed finished as named.
Sixth race, one mile, purse—San Alviso, 38 (E. Davis), 21 to 5, won; Cablin,
108 (C. Williams), 9 to 5, second, Livus,
98 (Buxton), 6 to 1, third. Time, 1 41,
Johnstown, Lord of the Vale, Millsong,
Galvestonian and Elmdale finished as
named.

## JUDGE NUGENT DIES

Pioneer of Idaho Succumbs After an Illness of Seven Years.

ial to The Tribune. BOISE, Ida., May 14.-Edward C. Nugent, Judge of the old Third Judicial district, composed of the counties of Ada, Canyon, Owyhee, Washington and Boise, from 1889 to 1895, and father of John F. Nugent, one of the attorneys for the defense in the Steunenberg mur-der case, died at a hospital here late

Judge Nugent had been sick for the past seven years and was confined to the hospital for the past twenty-eight months. He formerly resided in Silver City and was one of the best-known men in Idaho, the was a man of great ability and made an excellent Judge. He had a legion of friends and will be kindly remembered by the carly pioneers of idaho, of which is was one. He was reverty one years old at the time of his death. His wife died here

## Western Postmasters.

washington May 14.—The follow ing postmasters were appointed today: Darlington, Blaine county, Idaho, W. C. Sherman, Albany county, Wyo.,

The Hand that Rocks the Cradle Does Not Rule the Town! ALL UNION LABORERS



# SON-IN-LAW OF **GOODING IN JAIL**

Bright Young Idaho Physician Is on the Verge of Delirium Tremens.

Dr. Emerson, a son-in-law of Gov. Frank R. Gooding of Idaho, was sentenced to serve seven days in the city jail for drunkenness by City Judge J. J. Whitaker Tuesday. He is on the verge of delirium tremens. Later Dr. Emerson was taken out of jail by Attorney John A. Bagley, formerly Attorney General of Idaho, but now of this city, who will look after him until he gets well. Emerson was arrested in a drunken condition by Officer Kelly Monday night. It was only a few days ago that he was arrested on a similar charge, and was let go on his promise to behave himself in the future.

When arraigned Tuesday Dr. Emer son pleaded with Judge Whitaker that he needed medical assistance, and asked to be let go again. Assistant City Attorney P. J. Daly objected to this, however, and declared that the medical aid could best be given the man in the jail. Judge Whitaker concurred in this view.

Dr. Emerson has had a strenuous career. He married Gov. Gooding's daughter at Shoshone, Ida, and in 1903, while in an intoxicated condition, he shot his wife. Gov Gooding, who was then a private citizen, caused him to be prosecuted for this act, and he was seuteneed to a term of years in the Idaho penitentiary. His wife, although she had been the victim of his drunken act, stood by him when

er father turned against him. In 1904, after Gooding had been nominated for Governor, but before he was elected, the State Pardon Board, at the solicitation of the wife and over the strenuous protest of Gooding, pardoned Dr. Emerson. It is said that Gov. Gooding and his son-in-law have never become reconciled.

Attorney Bagley, who befriended him Tuesday, was on the pardon board which released him.

After his pardon Dr. Emerson and his wife went to living together again, and moved to Cassia county, Ida. It could not be learned Tuesday where Mrs. Emerson is now, nor could much be learned about Dr. Emerson, save that he has been in Salt Lake for a

week or so on a spree.

Dr. Emerson was ragged, unkempt and dirty when he was arraigned beand dirty when he was arraigned before Judge Whitaker Tuesday. He declared that he had been put off a train between here and Ogden; that he wandered around in the rain some time before finding shelter, and that a few drinks in his exhausted condition had put him to the bad. He does not appear to be over 35 years of age, and the brought out unconscious, but talks in an intelligent and extended. talks in an intelligent and rational

## NATIONAL LEAGUE

Boston Cincinnati St. Louis

Routine Report of Business Transacted by Provo City Council. Special to The Tribune

WAS ONCE AN INMATE

OF THE PENITENTIARY

Pardoned After Serving Part

of a Term for Shooting

His Wife.

Special to The Tribune.

PROVO, May 14.—At the meeting of the City Council last night Royal D. Woolley reported, through his atterney, J. W. N. Whitecotton, that a Mr. Eggleston was building a stable within six feet of Mr. Woolley's kitchen door, and asked that Mr. Eggleston be prohibited from erecting the building. Referred to the board of Health.

The committee on public grounds and city property reported on the matter of parking the west square, recommending that Mr. Pack's plan with one or two changes be adopted and that the work of planting trees, etc., be deferred till next spring. Also that \$700 to defray the

Also that \$700 to defray the spring. expenses of parking the square be in-cluded in the next tax levy. Report adopted.

committee on fire department was authorized to hire another man to do night sprinkling, when necessary, one of the men employed baving refused to

Councilman Knudsen, Bott and Pow elson were appointed a special commit-

back from Washington, D. C., where the former is studying pharmacy They will return after the vacation. A letter from the architect's officer the treasury department, Washing , D. C., has been received by Postton. D. master Clive, in which Mr. Clive is asked to get bills from the City Engineer or competent engineer, for a plat e Federal building site in this This plat will contain information as to sewers, adjoining buildings, etc., and together with two photographs which are also requested, will be

by the engineer in making a plan for the Federal building. R. E. Benedict, district supervisor of the United States Forest service, was down from Salt Lake yesterday, conferring with Supervisor Pack.

Friday evening, May 17, the Scandinavians of Provo and vicinity will hold

navians of Provo and vicinity will hold a reunion in the vestry of the taber-nacle in commemoration of May 17, Norway's old independence day. An interesting and appropriate program will be rendered, All Scandinavians are

American Association Games.

Kansas City-Kansas City-Toledo postponed, wet grounds. Milwaukee — Columbus-Milwaukee postponed, rain. Minneapolis—Indianapolis-Minneapolis game postponed, rain.

#### \*\*\*\*\*\*\*\*\*\*\*\*\* THIRTY FIREMEN ARE OVERCOME BY SMOKE

NEW YORK, May 14 .--Thirty firemen were overcome by smoke in a stubborn fire today in the sub-cellar and basement of a fire-story building at 325 Broadway, occupied in part by the sales rooms and offices + of the Remington Typewriter + company,

The burning materials in the cellar filled the store rooms

# ARMED MEN TRY TO

COERCE LABORERS Purported Representatives of SQUARE TO BE PARKED. Western Federation of

> DEMAND THAT WORKMEN JOIN THEIR ORGANIZATION

Miners in New Role.

This Is Sensational Story Told by Contractors on Clark Road Near Goldfield.

Special to The Tribune GOLDFIELD, Nev., May 14 .- Six armed men visited the camp of Crandall Brothers, subcontractors on the Clark road, last night with the demand that the laborers employed by the contractors join the Western Federation of Miners and that the contractors pay them the miners' scale of wages, \$5 per day, according to a story told by the Crandalls. The Crandalls have a con-tract under the firm of Mendenhall & Company, the big railway contractors of Springville, Utah, who have done practically all the work on the Clark road north of Las Vegas. They have been working north from Rhyolite and yesterday moved their camp up to the divide, south of town ride, south of town.

The Crandalls say that the men who called on them were heavily armed and claimed to be the official representatives of the local miners' union. They say that the designtes went among the with their firearms in full told them they mast do no work until the demands of the union

Conference With Officers.

The contractors had a conference to-day with Sheriff Ingalls, to whom they related their experience, and it is probable that officials will be called upon to afford protection to the men. Mr. Mendenhall, the manager of the contracting firm under which the Crandalls are working, is expected to arrive to-night from Utah and a course of action will then be determined. ill then be determined upon. The seven socalled agitators—Vincent

St. John, Elmer Vice, Ben Donnelly, A. Johnson, Harry Rodgers, H. T. Jardine and Jerry Sexton—indicted by the grand jury on a charge of conspiracy to take the life of John Silva, were arraigned this morning before Judge Langan. Standing seven in a row, all of the men, after the indictment had been read, and in answer to the call of their names entered pleas of not guilty. This proteeding followed the overrul-ing on the part of Judge Langan of the motion to quash the indictment pressed so exhaustively by Attorney Bowler, representing the defendants at the session of court yesterday afternoon.

Prisoner Seems Gay.

During the arraignment, St. John held an unlighted eight between his lips, evi-dencing at the same time considerable gavety, smiling most of the while. St. John has hitherto held, during the court proceedings in his case; a cold, calm and rather sad demeanor.

Immediately after the prisoners had entered their pleas. Attorney Haugs arose and announced that the defense wished that the date of the trial be fixed at that time. Judge Langan stated in reply that if the attorney for the de-fense would appear in court tomorrow morning at 10 a.m., the day for the The alter another they were to morning at 10°a.m., the day for the brought out unconscious, but the beginning of the trial of the alleged conminder liber to spirators would then be fixed. The were allow the the trial of the alleged converged by the trial of the trial of the alleged converged by the trial of the trial of the alleged converged by the trial of the trial of the alleged converged by the trial of the alleged converged by the trial of the alleged converged by the trial of the trial of the alleged converged by t

# OF BOISE MAY STRIKE

Telephone Girls Still Out; Federate Trades Are Investigating Situation.

Special to The Tribune.

BOISE, Ida., May 14 .- The strike of union telephone operators employed by the Independent Telephone company is still with little prospect of an immediate settlement from a union stand point. Meanwhile the service of the company is much interrupted, owing to the fact that several inexperienced operators are at the boards. Last night the Federated Trades and Labor countil. cil took the matter up and instructed the grievance committee to investigate the action of the strikers, as it pre-viously sanctioned the proposed step. An endorsement by the council would in-An endorsement by the council would involve every union in this city and no doubt bring about serious labor troubles. If a settlement is not brought about soon it is a safe prediction that the electrical workers will be numbered among the strikers. Nothing short of a settlement in which the operators' union is recognized will satisfy labor in Boise and a strike movement would seriously affect this city.

An auti-eignrette crussde is on in

An anti-eigarette crusade is on in Boise. The chief of police has announced that the anti-eigarette ordinance prohibiting minors from using the weed in that form will be rigidly enforced.

cnforced.

The last session of the legislature authorized the creation of a State Board of Optometry to be composed of three graduate opticians and Governor Gooding named the following as such a board:

R. D. Hubbard of Boise, J. M. Clark of Moscow, E. Leroy Harrison of Pocatello. The new board will soon meet and organize.

organize. As previously arranged to test the new "Sunday rest" law, W. F. Dolan, one of Boise's merchants who kept his store open Sunday and consented to be the test victim was arrested today on complaint of County Attorney Koelsch. He will be given a hearing Thursday.

Mystery in Bank Robbery.

TOPEKA, Kan., May 14.—Officials of the Citizens' bank of North Topeka admitted today that the safe had been entered Saturday night and robbed of \$10,000, half of it in gold and the balance in currency. No explosives were used, but the safe combinations were worked. Suspicious circumstances sur-round the robbery, and the bank offi-cials hint at sensational arrests within

Death Sentences Affirmed.

JEFFERSON CITY, May 14. JEFFERSON CITY, May 14.—The State Supreme Court today affirmed the death sentences imposed by the Circuit court on George Ryan, Harry Vaughan and Edward Raymond, the convicts who broke out of the penitentiary November 24, 1905, and killed Guard John Clay in resisting recapture. The three are under sentence to be hanged June 27.

Wyoming Brakeman Killed.

Special to The Tribune. LARAMIE, Wyo. May 14—John Lackey, whose parents reside at Cheyenne, was killed at Cherokee, twenty miles west of Rawlins this morning by falling a brakeman and was riding on the pilot of the engine, helping his train, when the train and engine parted, throwing him to the track. He was single and him to the track. He was single and had been at Rawlins but a short time.

## Will Open Big Forest.

WASHINGTON, May 14.-On July 7 next there will become subject to settlement but not to entry filing selection until August 26, about 24,960 acres of land now temporarily with drawn for forestry purposes and adjoin-ing the Medicine Bow National Forest in Wyoming, within the Cheyenne land district, with office at Cheyenne.

Village Swept by Fire.

MARION, Ill., May 14.—The village f Coreville, south of here, was swept of coreville, south of here, was swept by fire last night, entailing a loss of \$75,000. Sixteen buildings were de-stroyed. It is believed the fire was started by incendiarism.

Place for Wyoming Man. celal to The Tribu

WASHINGTON May 14 -- On recom mendation of Congressman Mondell, Dr. E. G. Condit was appointed a pension examing surgeon at Laramie, Wyoming.

Old Directors Elected.

KANSAS CITY, May 14.-Stock holders, in annual meeting here today, re-elected all old directors of the Kansas City Southern Railroad com-pany. The report of President Edson showed an increase in gross earnings for the ten months ending April 30 last over the corresponding period of last year of 20.2 per cent, and crease in operating expenses of per cent.

to be arranged at that time. A decided sensation was sprung in the district court this morning immediatedistrict court this morning immediately after the seven indicted agitators had been taken from the room. It came when attorney Douglas, special prosecutor in connection with the Preston-Smith trial, and the ensuing legal controversy arose and charged the sheriff's office with allowing the recently convicted men and the men indicted in connection with the Silva murder unheard of privileges and liberties.

privileges and liberties. Sheriff lugalls was not present at the outset of the charge of Attorney Doug-las, but at the suggestion of Judge Langan that it would only be just if cirtieism as against that official was to be offered that he be present, notifica-tion was carried and the sheriff soon

appeared.

Sheriff Ingalls positively disclaimed affording any privileges to the prisoners in question that were not prompted from a humanitarian standpoint, and declares that if at any time, other and unduc liberties have been accorded, such were allowed against his expressed in-

# PROGRESS TOWARD **JURY FOR HAYWOOD**

10 PAGES-FIVE CENTS

Ten Talesmen Have Now Been Passed for Cause by State and Defense.

NO PEREMPTORY CHALLENGE HAS YET BEEN EXERCISED

State's Attorneys Say Jury Will Probably Be Secured by Next Saturday.

BOISE, Ida., May 14.—Substantial progress toward the formation of a jury to try William D. Haywood for the alleged murder of former Governor Frank Steunenberg, twice chosen executive of this State, was made on this, the third day of the trial. Selection of talesmen halted for three solid hours over chairs five and six, but once those seats had been filled progress was very rapid. At adjournment for the day counsel for the defense had completed the examina-tion and temporarily passed the tenth talesman. They had but two more to examine in chief and a reservation to examine, if they desired to exercise the right, two of those temporarily passed today, so that with reasonable progress the twelfth talesman should be passed the twelfth talesman should be passed tomorrow in time to open the way for the first peremptory challenge whose exercise marks entry to the final stage of the formation of the jury. Counsel for the State will adhere to the belief that the jury will be completed by Sat-

Follow Same Lines.

Clarence Darrow and Edgar Wilson, for the defense, divided the work of examining talesmen today, and their questions took the same wide range outlined by their associate, Mr. Richardson, and freely sanctioned by Judge Fremont Wood. Mr. Wilson added to the long train of connections, readings, influences, and associations that might tend to disqualify a juror, that of membership in the Idaho militia which, at various times, has been called upon to various times, has been called upon to quell strike disorders. The examina-tion failed, however, to disclose any

tion failed, however, to disclose any military men among the talesmen.

Mr. Darrow devoted much attention to possible prejudice of prospective jurors and his attitude and inquiry was carnest to the point of solemnity. He gravely invited each succeeding talesman who passed through his hands to place himself mentally in the serious position of the prisoner and then to honestly ask himself if he would care to be tried by twelve men of minds

to be tried by twelve men of minds framed like his own. framed like his own.

Two of the original panel—J. L. Waggoner, who figured in the Yest affair, and George Walker—went out for bias—and four of the special venire failed for various reasons to qualify. Two of the latter swore that they were so opposed to circumstantial evidence in a capital case that they would refuse AMIE, Wyo, May 14—John Lac-hose parents reside at Cheyenne, illed at Cherokee, twenty miles of Rawlins this morning by falling the wheels of an engine. He was eman and was riding on the pilat eman and was riding on the pilat

ready to fill vacancies, making the chances of completing the jury from the special venire seem good. Had Talked About Orchard.

Allen Pride, the fifth talesman passed Allen Pride, the fifth talesman passed by both sides, testified that Deputy Sheriff Roberts, who served him with a summons, had talked with him about the case and particularly about Harry Orchard, whom he had known when a penitentiary guard. An extended and searching examination by Mr. Darrow failed to show that there had been any attempt to improperly influence the attempt to improperly influe prospective juror and while the influence reserved its rights, it is improbable that the incident will be pursued any fur-ther. The incident brought out the first mention of the name of Harry Orchard in open court since the trial be-

Talesman D. W. Henry, who held seat No. 6, after a long and at times amusing examination which showed a desire upon the part of the defense to have him excused, denied under oath that he had told some of his neighbors in South Boise that Haywood and his associates must be guilty because they were brought back here for trial. This incident is to be the subject of further examination tomorrow.

Plain Businesslike Session.

was another businesslike session of the court, unmarked by important incident not connected with the ex-amination of talesmen. Counsel bristled occasionally in a manner that indicated the spirit of the battle that is to come, but they continued in harmony and were generally courteous and graceful to one another. The courtroom is filled at all times, but the crowd was a changing one and it could not be held unless the baiting of jurors made it worth There were more women pres ent than on any other day, but at that the number scarcely exceeded a dozen, The women of Boise seem determined to avoid the trial. Mrs. Steve Adams to avoid the trial. Mrs. Steve Adams came again today and this time to a seat beside Mrs. Haywood inside the railed enclosure. She remained with the invalid woman all afternoon and the invalid woman all afternoon and assisted in taking her from the room after adjournment. She and her husband are down as witnesses for the State, but her action of today is taken as a clear indication of her attitude. Haywood participated to a greater extent than before in the work of his counsel. He consulted most constantly with Messrs Dayrow Richardson and with Messrs, Darrow, Richardson and Nugent, and it was very clear that he was offering suggestions as to the line of examination and expressing himself as to the men in the box who may be chosen to sit in judgment of his life.

Trial May Last Months.

In seeking the removal of Talesman Cole, who is not in good health, Edgar Wilson, for the defense, made the statement that the trial would occupy several weeks, and possibly several mouths. The ten men who have been examined and passed for cause by both sides are, in the order given: A. L.